

REMARKS

The Official Action of April 29, 2005 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claims 8-14 have been added more completely to define the subject matter which Applicants regard as their invention. Claim 8 uses “means plus function” language in accordance with the provisions of 35 USC 112, sixth paragraph to cover the substrate films described in the specification for promoting adhesion of the coating film (see specification at, for example, page 4, lines 6-11; paragraph bridging pages 6 and 7; and the Examples beginning on page 7, line 36) and equivalents thereof. Claims 9-14 track recitations that are in the original dependent claims. Applicants respectfully note in this regard that the recitations in original claim 5 provide support for the Markush group of adhesion-promoting polymers recited in claim 9, including mixtures of the same.

The claims stand rejected under 35 USC 103(a) as allegedly being unpatentable over Valerius in view of an alleged admission in the specification and, with respect to certain claims, further in view of SU 865873, Mier or Moyer et al. Applicants respectfully traverse these rejections.

The claimed invention is based at least in part upon Applicants’ finding that, in a laminated board comprising a natural wood layer and a coating film, the provision between the

natural wood layer and the coating film of a substrate film comprising a paper impregnated with a compound formed from (a) a phenolic resin in a proportion of between 95 and 80 wt% and (b) a polymer promoting adhesion of the coating film in a proportion of between 5 and 20 wt% provides the laminated board with advantageous properties. This is shown in the Examples beginning on page 7, line 36 of the specification, wherein it may be seen that laminated boards in accordance with the claimed invention comprising a substrate formed with a combination of the recited phenolic resin and adhesion-promoting polymer (T3 or T4) performed better in the described evaluations than the laminated boards comprising a substrate formed with only a phenolic resin (T2) (see Table 1-3 on pages 9 and 10 of specification).

At the outset, Applicants respectfully note that the laminated boards as claimed are distinguishable from the teachings of the primary reference, Valerius, not only in that, as acknowledged by the Examiner, Valerius does not disclose the claimed wood layer. The claimed boards are also distinguishable from the primary reference in that Valerius does not show or suggest the recited substrate comprising a paper which is impregnated with a compound formed by 80-95 wt% phenolic resin and 20-5 wt% adhesion-promoting polymer. The Examiner has pointed to description in Valerius of a paper layer which is impregnated with melamine formaldehyde resin, but this description does not meet the claim limitations. This being the case, the cited art is respectfully submitted to be insufficient to set forth even a *prima facie* case of obviousness for this reason alone (see MPEP Section 706.02(j)).

Applicants respectfully note that, as shown in the Examples in the specification, the

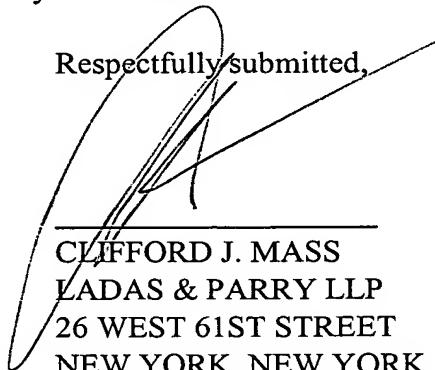
recited substrate film provides good adhesion between the coating film (17) and the rest of the claimed laminate. In contrast, the Valerius paper layer is totally different: it is a decorative sheet which does not play a relevant role for the adhesion of the thermoplastic film. (The adhesive function, in Valerius, is fulfilled by the removable film of polyvinyl chloride which is applied in step 5 of the process.) Moreover, there is nothing in the reference that would show or suggest that the Valerius paper layer could fulfill the claimed function of promoting adhesion of the coating layer (see claim 8). Finally, there is nothing in any of the prior art references which would provide a motivation to modify the Valerius paper layer in a manner that would arrive at the claimed invention.

The art cited by the Examiner respectfully fails to teach all of the claim limitations for another reason as well: the proposed combination of Valerius with the alleged admission in the specification would not result in a laminated board having both a wood layer and the Valerius paper layer. In this respect, the function of the wood layer is not to contribute resistance to the panel, but it is purely aesthetic to achieve the appearance of natural wood. This is impossible to achieve with decorated paper even if this happens to be decorated paper imitating wood. A motivation for one of skill in the art to combine Valerius with the alleged admission in the specification would be **to substitute** the decorated paper described by Valerius with a wood layer. The combination would respectfully **not** arrive at the claimed laminate, which requires both the wood layer and the recited paper layer.

The secondary references cited by the Examiner respectfully cannot supplement the

deficiencies in the primary reference. The SU '873 reference provides no insight into the problem solved by the claimed invention, i.e., the provision of the recited substrate layer for improving the adhesiveness of a coating to a laminate comprising a layer of wood. The teaching in Mier of acrylic-modified formaldehyde resins does not show or suggest the claimed substrate comprising a paper impregnated with a compound whose majority component is a phenolic resin. Similarly, Moyer et al's teaching of urea formaldehyde resins does not show or suggest the provision of a substrate film comprising a paper layer impregnated with a compound whose majority component is a phenolic resin.

In view of the above, it is respectfully submitted that the cited art is insufficient to show all of the claim limitations and cannot set forth even a *prima facie* case of obviousness for the invention as claimed, either with or without any statements in the Applicants' specification. Accordingly, it is respectfully submitted that the rejections of record have been successfully traversed and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,

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